



AN ORDINANCE BY  
COUNCILMEMBER FELICIA A. MOORE

**AN ORDINANCE TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PROVIDE THAT CERTAIN SUBDIVISION APPLICATIONS DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 9, AND FOR OTHER PURPOSES.**

**WHEREAS**, pursuant to the application for the subdivision of land submitted by several developers, in compliance with the provisions of Section 15-09.003 to provide sidewalks on both sides of existing as well as proposed streets; and

**WHEREAS**, the construction of sidewalks along the frontage of these subdivisions would adversely affect the appearance and character of the neighborhood due to the lack of any existing sidewalks on the streets that contain the proposed subdivided lots to which the sidewalks could connect; and

**WHEREAS**, the City and area residents would be better served by the construction of sidewalks and pedestrian improvements in the area of said subdivisions with in District 9.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

**Section 1:** The requirements of Section 15-09.003 of the City of Atlanta Code of Ordinance, which requires that applications for subdivision of land provide sidewalks is hereby waived for subdivisions SD-04-26 and SD-03-51.

**Section 2:** That the waiver of said requirements for the aforementioned applications are conditioned upon the agreement of the applicants to pay the City of Atlanta a dollar amount equal to the value of construction of said sidewalks as required by Section 15-09.003 and as determined by the Commissioner of Department of Public Works.

**Section 3:** That before the Director of Bureau of Building issues any building permit for construction within the subdivisions sited above, said funds shall be deposited in trust fund account 3P02 424101 Y63T19019999, to be used for pedestrian improvements and sidewalk construction in Council District 9.

**Section 4:** That all other requirements of the Code of Ordinance for the subdivisions sited above shall remain in full force and effect.

**Section 5:** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby waived.

A true copy

Deputy Clerk

ADOPTED by the Council  
APPROVED by the Mayor

June 21, 2004  
June 24, 2004

RCS# 5810  
6/21/04  
1:50 PM

Atlanta City Council

Regular Session

CONSENT I            CONSENT I PG 1-15 EXCEPT 04-O-1110 -1098  
                         O-1100 O-1109 O-1104 R-1145 R-1144  
                         ADOPT

YEAS:    13  
NAYS:     0  
ABSTENTIONS: 0  
NOT VOTING: 0  
EXCUSED:  0  
ABSENT    2

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	B Mosley	B Willis

CONSENT I

6-21-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1016 2. 04-O-1009 3. 04-O-1117 4. 04-O-0795 5. 04-O-0919 6. 04-O-0914 7. 04-O-1064 8. 04-O-1101 9. 04-O-1118 10. 04-O-0987 11. 04-O-0990 12. 04-O-1116 13. 04-O-0662 14. 04-O-0663 15. 04-O-0664 16. 04-O-1018 17. 04-O-1106 18. 04-O-1112 19. 04-O-1113 20. 04-O-1119 21. 04-O-0785 22. 04-O-1007 23. 04-O-1103 24. 04-R-1022 25. 04-R-1043 26. 04-R-1047 27. 04-R-1020 28. 04-R-1035 29. 04-R-1051 30. 04-R-1052 31. 04-R-1053 32. 04-R-1111 33. 04-R-1056 34. 04-R-1107 35. 04-R-1088 36. 04-R-1092 37. 04-R-1093 38. 04-R-1094 39. 04-R-1095 40. 04-R-1096	41. 04-R-1066 42. 04-R-1067 43. 04-R-1068 44. 04-R-1069 45. 04-R-1070 46. 04-R-1071 47. 04-R-1072 48. 04-R-1073 49. 04-R-1074 50. 04-R-1075 51. 04-R-1076 52. 04-R-1077 53. 04-R-1078 54. 04-R-1079 55. 04-R-1080 56. 04-R-1081 57. 04-R-1082 58. 04-R-1083 59. 04-R-1084 60. 04-R-1085 61. 04-R-1086 62. 04-R-1087 63. 04-R-1089 64. 04-R-1090 65. 04-R-1091

#21

# 04-0-1103

(Do Not Write Above This Line)

AN ORDINANCE BY Felicia A. Moore FOR THE CITY OF ATLANTA TO WAIVE THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CITY OF ATLANTA CODE OF ORDINANCES TO PROVIDE THAT CERTAIN SUBDIVISION APPLICATIONS DEPOSIT A DOLLAR AMOUNT EQUAL TO THE VALUE OF THE REQUIRED SIDEWALK CONSTRUCTION INTO A DESIGNATED TRUST FUND ACCOUNT FOR DISTRICT 9, AND FOR OTHER PURPOSES.

ADOPTED BY  
JUN 21 2004  
COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 6/7/04  
Referred To: City Utilities  
Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:

## First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee City Utilities  
Date June 15 2004  
Chair W. Smith  
Action Adv. Hold (see rev. side)  
Other \_\_\_\_\_

Members [Signature]  
Refer To [Signature]

## Committee

Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

## Members

Refer To \_\_\_\_\_

## Committee

Date \_\_\_\_\_  
Chair \_\_\_\_\_

Action \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other \_\_\_\_\_

## Members

Refer To \_\_\_\_\_

## FINAL COUNCIL ACTION

- ☒ 2nd
- ☐ 1st & 2nd
- ☐ 3rd
- ☒ Consent
- ☐ V Vote
- ☒ RC Vote

## CERTIFIED

CERTIFIED  
JUN 21 2004  
COUNCIL PRESIDENT PROTEM

CERTIFIED  
JUN 21 2004  
Renee Bingham Johnson  
MUNICIPAL CLERK

## MAYOR'S ACTION

APPROVED  
JUN 21 2004  
MAYOR